

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37374 of 2024**

Arising Out of PS. Case No.-167 Year-2024 Thana- SHEKHPURA District- Sheikhpura

Sachin Kumar Son of Late Prakash Kewat Resident of village - Pachna Hatti,  
P.S.- Sheikhpura, District - Sheikhpura

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Sheo Nandan Prasad, Advocate

For the Opposite Party/s : Ms. Indu Kumari Srivastava, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      26-06-2024                      1. Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case  
registered for the offence punishable under Section 30(a) of the  
Bihar Excise Act.

3. Learned counsel for the petitioner submits that the  
petitioner is a person with clean antecedent and allegation is of  
recovery of 10 liters of liquor from a white gallon.

4. Learned counsel for the petitioner submits that the  
petitioner was not arrested from the spot as such nothing was  
recovered from his conscious possession and even the alleged  
recovery is from a gallon which does not belong to the petitioner  
and he came to be implicated by the local person but then the  
name of the person who disclosed the name of the petitioner is not  
disclosed in the FIR which casts an aspersion on the case of the



prosecution. It is also submitted that in majority of the cases police implicates accused persons either at the instance of *Chowkidar* or local person.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sheikhpura P.S. Case No. 167 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear the learned Trial Court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event if it is found that petitioner has antecedent of even one case in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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